

## **Title 15 Mississippi State Department of Health**

### **Part 5: Office of Health Informatics**

#### **Subpart 85: Public Health Statistics**

#### **Chapter 2. Records Certification and Service Fees**

##### **Subchapter 1. Access to Records**

**Rule 2.1.1.** Vital Records are not considered public access documents. Certified copies of records in the custody of the Department of Health may be obtained by persons having a legitimate and tangible interest in such records. In order to protect the confidentiality of documents, no public access is permitted to the storage vault or to any indexes and all requests from members of the public must be accompanied by the published fee. Suitable forms are provided for initiating any such requests. State issued picture identification or other forms of identification acceptable to the State Registrar may be required.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-2; Miss. Code Ann. §41-57-7; Miss. Code Ann. §41-57-11(2); Miss. Code Ann. §93-5-26; Miss. Code Ann. §93-17-25*

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**Rule 2.1.3.** Unless precluded by law, the State Registrar reserves the right to determine the amount of information shared from a record to accomplish an authorized applicant's given purpose for seeking the record.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-2; Miss. Code Ann. §41-57-7*

**Rule 2.1.4** Applicants with legitimate and tangible interest are:

1. The registrant, a member of the registrant's immediate family (spouse, parents, grandparents, siblings, children or grandchildren), the registrant's legal guardian, or their respective legal representatives shall be considered to have a legitimate and tangible interest. This includes, but is not limited to, a non-custodial parent whose parental rights have not been legally revoked. A legal guardian or legal representative must present documentation of their status and proof of identity prior to access to such record. To be recognized as a parent the name must appear on the record, other immediate family members may be required to show proof of relationship.

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4. Individuals, groups or other entities needing the information for determination or protection of a personal or property right.

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*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §93-5-26*

Rule 2.1.5. In any situation where questions may arise concerning the authenticity of a claim of legitimate and tangible interest, proof of identity and/or interest may be required. Acceptability of the proof of identity and/or interest shall rest with the State Registrar.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §93-5-26*

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### **Subchapter 3. Certification and Service Fees**

Rule 2.3.1.

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10. Expedited Service: In situations where faster service is warranted a fee may be applied as outlined in Office of Vital Records policies.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §41-57-13*

## **Chapter 6. Induced Terminations**

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### **Subchapter 2. Reporting**

Rule 6.2.1. Requirements

Each induced termination of pregnancy which is performed in this state shall be reported to the State Registrar of Vital Statistics within fifteen (15) days of the procedure on a form prescribed or furnished by the Mississippi State Department of Health. Patients are to be listed by identification number only and not by name. The attending physician shall prepare, or cause to be prepared, sign and file the report.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7*

## **Title 15 Mississippi State Department of Health**

### **Part 5: Office of Health Informatics**

#### **Subpart 85: Public Health Statistics**

#### **Chapter 2. Records Certification and Service Fees**

##### **Subchapter 1. Access to Records**

**Rule 2.1.2.** Vital Records are not considered public access documents. Certified copies of records in the custody of the Department of Health may be obtained by persons having a legitimate and tangible interest in such records. In order to protect the confidentiality of documents, no public access is permitted to the storage vault or to any indexes and all requests from members of the public must be accompanied by the published fee. Suitable forms are provided for initiating any such requests. State issued picture identification or other forms of identification acceptable to the State Registrar may be required.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-2; Miss. Code Ann. §41-57-7; Miss. Code Ann. §41-57-11(2); Miss. Code Ann. §93-5-26; Miss. Code Ann. §93-17-25*

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**Rule 2.1.3.** Unless precluded by law, the State Registrar reserves the right to determine the amount of information shared from a record to accomplish an authorized applicant's given purpose for seeking the record.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-2; Miss. Code Ann. §41-57-7*

**Rule 2.1.4** Applicants with legitimate and tangible interest are:

1. The registrant, a member of the registrant's immediate family (spouse, parents, grandparents, siblings, children or grandchildren), the registrant's legal guardian, or their respective legal representatives shall be considered to have a legitimate and tangible interest. This includes, but is not limited to, a non-custodial parent whose parental rights have not been legally revoked. A legal guardian or legal representative must present documentation of their status and proof of identity prior to access to such record. To be recognized as a parent the name must appear on the record, other immediate family members may be required to show proof of relationship.

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4. ~~Others may demonstrate a legitimate and tangible interest when~~ Individuals, groups or other entities needing the information ~~is needed~~ for determination or protection of a personal or property right.

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~~6. In any situation where questions may arise concerning the authenticity of a claim of legitimate and tangible interest, proof of identity and/or interest may be required. Acceptability of the proof of identity and/or interest shall rest with the State Registrar.~~

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §93-5-26*

Rule 2.1.5. In any situation where questions may arise concerning the authenticity of a claim of legitimate and tangible interest, proof of identity and/or interest may be required. Acceptability of the proof of identity and/or interest shall rest with the State Registrar.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §93-5-26*

~~**Rule 2.1.3.** The State Registrar may disclose information from any records relating to vital events only upon receipt of a request and applicable fee from an applicant with a legitimate and tangible interest.~~

~~*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7*~~

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### **Subchapter 3. Certification and Service Fees**

Rule 2.3.1.

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10. ~~Rush~~ Expedited Service: In situations where faster service is warranted a ~~fifteen dollar (\$15.00)~~ fee may be applied as outlined in Office of Vital Records policies.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7; Miss. Code Ann. §41-57-13*

## **Chapter 6. Induced Terminations**

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### **Subchapter 2. Reporting**

Rule 6.2.1. Requirements

Each induced termination of pregnancy which is performed in this state shall be reported to the State Registrar of Vital Statistics within ~~five~~ fifteen (15) days of the procedure on a form prescribed or furnished by the Mississippi State Department of Health. ~~by the person in charge of the institution in which the~~

~~induced termination of pregnancy was performed. Patients are to be listed by identification number only and not by name. If the induced termination of pregnancy was performed outside an institution, the attending physician shall prepare and file the report.~~ The attending physician shall prepare, or cause to be prepared, sign and file the report.

*SOURCE: Miss. Code Ann. §41-57-1; Miss. Code Ann. §41-57-7*